

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD SHIRLEY,

Defendant.

**8:13CR283**

**ORDER**

This matter is before the court on defendant's MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS [14]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 60-day extension. Pretrial Motions shall be filed by November 15, 2013. The trial set for October 21, 2013 is cancelled and will be rescheduled following the expiration of the Pretrial Motion Deadline.

IT IS ORDERED:

1. Defendant's MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS [14] is granted. Pretrial motions shall be filed on or before November 15, 2013.

2. The defendant is ordered to file the affidavit required by NECrimR 12.1(a) regarding speedy trial as soon as practicable.

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between September 16, 2013 and November 15, 2013, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

4. The trial set for October 21, 2013 is cancelled and will be rescheduled following the expiration of the Pretrial Motion Deadline.

Dated this 18th day of September, 2013.

BY THE COURT:

s/ F.A. Gossett, III  
United States Magistrate Judge